

TOYA108.008APC



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shiraki, et al.  
Appl. No. : 10/518,018  
Filed : December 15, 2004  
For : INTERLEUKIN-6 SUPPRESSIVE  
AGENT  
Examiner : Unknown  
Art Unit : 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 9, 2005

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Office of Initial Patent Examination  
Customer Service Center  
Alexandria, VA 22313-1450

Dear Sir:

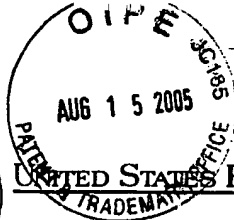
Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected as follows. Presently, the title is shown as Interleukin 6 Production Inhibitor. The title should be corrected to INTERLEUKIN-6 SUPPRESSIVE AGENT. A copy of the Preliminary Amendment as filed with the application on December 15, 2004 is provided in support of this requested correction.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 9, 2005

By:   
Che Swyden Chereskin, Ph.D.  
Registration No. 41,466  
Agent of Record  
Customer No. 20,995  
(949) 760-0404



TOYA108.008APC  
DEA/ROA/CSC JS

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/518,018	12/15/2004	1645	900	TOYA108.008APC		8	3

CONFIRMATION NO. 7375

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

## FILING RECEIPT



\*OC000000016568377\*

Date Mailed: 07/25/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Kimiyasu Shiraki, Toyama-shi, JAPAN;  
Masahiko Kurokawa, Nobeoka-shi, JAPAN;  
Yoshitaka Tamura, Zama-shi, JAPAN;  
Koji Yamauchi, Zama-shi, JAPAN;  
Hiroyuki Wakabayashi, Zama-shi, JAPAN;  
Kouichirou Shin, Zama-shi, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 20995.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP03/15009 11/25/2003

## Foreign Applications

JAPAN 2003-45509 02/24/2003

**Projected Publication Date:** 10/27/2005

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**~~Interleukin-6 production inhibitor~~

5/6 Interleukin-6 Suppressive Agent

**Preliminary Class**

424

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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TOYA108.008APC



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Shiraki, et al.
Appl. No.	:	unknown
Filed	:	herewith
For	:	INTERLEUKIN-6 PRODUCTION INHIBITOR
Examiner	:	unknown
Group Art Unit	:	unknown

**PRELIMINARY AMENDMENT AND  
VERIFICATION UNDER 37 C.F.R. § 1.821 (f)**

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Preliminary to examination on the merits, please amend the above-captioned U.S. application as follows.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

Appl. No. : **unknown**  
Filed : **herewith**

## **AMENDMENTS TO THE SPECIFICATION**

### **In the Title:**

Please change the title as follows:

~~INTERLEUKIN~~ INTERLEUKIN-6 PRODUCTION INHIBITOR SUPPRESSIVE AGENT

### **In the specification:**

On page 1 of the Specification, after the Title of the Invention and before the Technical Field statement starting on line 1, please insert the following paragraph:

This application is the U.S. National Phase under 35 U.S.C. § 371 of International Application PCT/JP2003/015009, filed November 25, 2003, which was published in a language other than English, which claims priority of JP 2003-45509, filed on February 24, 2003.

On page 22 before Claim 1, please amend as follows:

WHAT IS CLAIMED IS: ~~CLAIMS~~

**AMENDMENTS TO THE CLAIMS**

1. (Original) An interleukin-6 suppressive agent comprising lactoperoxidase as an active ingredient.
2. (Original) The interleukin-6 suppressive agent according to claim 1, wherein the interleukin-6 suppressive agent is a pharmaceutical preparation for preventing and/or treating a disease caused by production of interleukin-6.
3. (Original) The interleukin-6 suppressive agent according to claim 2, wherein the disease caused by the production of interleukin-6 is thrombocytosis, myeloma, Castleman syndrome, cardiac myxoma, glomerulonephritis, rheumatoid arthritis, sepsis, or influenza-virus infectious disease.
4. (Currently amended) A food and drink composition or a feed composition, which is prepared by adding the interleukin-6 suppressive agent according to ~~any one of claims 1 to 3~~claim 1.
5. (Currently amended) A ~~use method of using~~ method of using of lactoperoxidase for manufacture of a pharmaceutical preparation for preventing and/or treating a disease caused by production of interleukin-6.
6. (Currently amended) The ~~use of lactoperoxidase~~ method according to claim 5, wherein the disease caused by the production of interleukin-6 is thrombocytosis, myeloma, Castleman syndrome, cardiac myxoma, glomerulonephritis, rheumatoid arthritis, sepsis, or influenza-virus infectious disease.
7. (Original) A method of preventing or treating a disease, comprising administering an interleukin-6 suppressive agent comprising lactoperoxidase as an effective ingredient to an object person who requires prevention or therapy of a disease caused by production of interleukin-6.
8. (Original) The method according to claim 7, wherein the disease caused by the production of interleukin-6 is thrombocytosis, myeloma, Castleman syndrome, cardiac myxoma, glomerulonephritis, rheumatoid arthritis, sepsis, or influenza-virus infectious disease.

Appl. No. : unknown  
Filed : herewith

### REMARKS

Claims 4-6 have been amended to conform with the rules of practice before the U.S. Patent and Trademark Office. The specification has been amended to recite the International Application and priority application. Claims 1-8 are presented for examination. No new matter is added by this amendment.

Enclosed herewith are: (1) a paper copy of the Sequence Listing, and (2) a computer readable version of the Sequence Listing.

### VERIFICATION UNDER 37 C.F.R. § 1.821 (f)

All of the sequences in the attached Sequence Listing are included in the application as filed. As required under 37 C.F.R. § 1.821 (f), I hereby verify that the data on the enclosed disk and the paper copies of the Sequence Listing are identical.

### **Conclusion**

Should there be any questions concerning this application, the Examiner is invited to contact the undersigned agent at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Dec. 15, 2004

By: Che S. Chereskin  
Che Swyden Chereskin, Ph.D.  
Registration No. 41,466  
Agent of Record  
Customer No. 20,995  
(949) 760-0404